IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Board of Patent Appeals and Interferences

In re the Application

Inventor	:	**Musial P. , *et al.***
Application No.	:	**10/582, 569**
Filed	:	**June 12, 2006**
For	:	**USER LOCATION RETRIEVAL FOR CONSUMER ELECTRONIC DEVICES**

APPEAL BRIEF

On Appeal from Group Art Unit 2617

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Date: June 5, 2009

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I. REAL PARTY IN INTEREST

The real party in interest is the assignee of the present application, U.S. Philips Corporation, and not the party named in the above caption.

II. RELATED APPEALS AND INTERFERENCES

With regard to identifying by number and filing date all other appeals or interferences known to Appellant which will directly effect or be directly affected by or have a bearing on the Board's decision in this matter, Appellant is not aware of any such appeals or interferences.

III. STATUS OF CLAIMS

Claims 1-19 have been presented for examination. All of these claims are pending, stand finally rejected, and form the subject matter of the present appeal.

IV. STATUS OF AMENDMENTS

In response to the Final Office Action, having a mailing date of January 9, 2009, Appellant timely submitted arguments to overcome the reasons for rejecting the claims. No Amendments were made to the claims. In reply, an Advisory Action, having a mailing date of April 1, 2009, was entered into the record. The Advisory Action made no statement regarding the amendments to the claims being entered into the record as no amendments were providing in the prior Office Action response. A copy of the claims, in final form, is shown in the Claims Appendix, below. The Advisory Action in addition provided further rationale for maintaining the rejection of the claims

A Notice of Appeal was timely filed in response to the Advisory Action and this Appeal Brief is being timely filed, with appropriate fee, within the period of response from the date of the Notice of Appeal

V. SUMMARY OF CLAIMED SUBJECT MATTER

The present invention is expressed primarily in independent claims 1 (a method) and 10 (a mobile terminal device). Independent claim 1 recites a method (Figures 2 and 3 and page 3, lines 12-15 and page 5, lines 22-24, respectively) for providing user data pertaining to a user of a mobile terminal (Figure 1, item 104, page 2, lines 21-22) to a recommender system (Figure 1, item 168, page 3, lines 10-12) of a consumer electronic device (Figure 1, item 164, page 3, lines 10-12) comprising determining, by the terminal, a current location of the terminal (page 3, lines 4-6, Figure 2, items 208, page 3, lines 19-22), wherein said current location is determined after receiving a initiating signal, said initiating signal being one of a user input (Figure 1, item 136) and a received signal (see page 3, lines 15-17); saving, in the terminal, an identifier of the determined location (Figure 3, item 316, Figure 2, items 240), based on a longevity of said terminal in an area proximate said current location (page 4, lines 9-13, page 5, lines 24-29); and informing, by means of the terminal, said recommender system of a consumer electronic device of the determined location (Figure 1, item 124, page 6, lines 9-15).

Independent claim 10 recites a mobile terminal (Figure 1, item 104) for providing user data pertaining to a user of said terminal to a recommender system (Figure 1, item 168) of a consumer electronic device (Figure 1, items 164), the apparatus comprising: a memory (Figure 1, item 128), a transmitter (Figure 1, item 120), a receiver configured for

receiving a wireless signal (Figure 1, items 120, 156), and a processor (Figure 1, item 112) for determining, a current location of the terminal (page 3, lines 4-6, Figure 2, items 208, page 3, lines 19-22), wherein said current location is determined after receiving a initiating signal, said initiating signal being one of a user input (Figure 1, item 136) and a received signal (see page 3, lines 15-17); saving an identifier of the determined location (Figure 2, item 204) to said memory (Figure 1, item 128) based on a longevity of said terminal in an area proximate said current location (page 4, lines 9-13, page 5, lines 24-29); and informing (124), by means of said transmitter, said recommender system of a consumer electronic device of the determined location (Figure 1, item 124, page 6, lines 9-15).

The remaining claims, which depend from respective independent claims, express further aspects of the invention.

VI. GROUNDS FOR REJECTION TO BE REVIEWED ON APPEAL

The issues in the present matter are whether:

1. claims 1, 2, 9, 10, 11, 18, and 19 are unpatentable under 35 USC §103(a) over Smith (USP no. 6,580,914) in view of Meade (USPPA 2003/0073412) and further in view of Kabala (USP no. 6,539, 393); and

2. claims 3-8 and 12-17 are unpatentable under 35 USC §103(a) over Smith in view of Meade and Kabala and further in view of O'Neil (USPPA 2002/017027).

VII. ARGUMENT

I. Rejection of claims 1, 2, 9, 10, 11, 18, and 19 under 35 USC §103

The rejection of claims 1, 2, 9, 10, 11, 18, and 19 as being rendered obvious under 35 USC §103(a) by the combination of Smith, Meade and Kabala is in error because the references have been impermissibly been combined to show the elements recited in the independent claims and even if the references were combined, the combination fails to disclose a material element recited therein..

Summary of the Rejection of the Claims

The Final Office Action rejected the claims referring to Smith for teaching specific elements of the independent claims and acknowledges that Smith fails to explicitly teach the claim element of the recommender being a consumer device or the claim element of determining the location and saving it based on an longevity of the terminal in an area proximate said current location. (see FOA, page 3, section 3, lines 20-22). The Final Office Action refers to Meade for teaching the mobile device being used to apply and update user preferences in appliances and consumer devices and Kabala for disclosing a processor that determines longevity (i.e., duration of stay) of terminals within an area (see FOA, page 4, lines 4-5).

The Advisory Action, in maintaining the rejection of the claims in view of arguments presented in Applicant's response to the Final Office Action, asserts that "...nowhere in claim 1 is it explicitly disclosed that the determination of the longetivity [sic] or the determining of the longetivity [sic] is performed by the terminal. What is disclosed is that the terminal saves its location based on the determination of its longetivity [sic] which could be handled by the BTS controller or MSC with whom the

terminal is in communication. Claim 1 does not state that the terminal saves an identifier of its present location after having determined the terminal, its longetivity [sic] in the location." (see AA, page 2).

The Advisory Action further sates that "Kabala provides the feature of determining a longetivity [sic] unlike the applicant's interpretation, in another words, the examiner imported the feature of 'determining the longetivity [sic]' into the obvious combined disclosures regardless of which element performed the feature, as it is well within the grasp of one of ordinary skill in the art to implement such feature in the terminal in order to allow the mobile [as in Meade] to transfer the preference into a DVR or TIVO." *id.* The Advisory Action further states that "the feature taught by Kabala is determining the longetivity [sic] at a certain location regardless which element is computed at, since Smith teaches the terminal as a mobile unit roaming and recording its location and using the location in providing the user with a potentially interesting and relevant items, programs, advertising to said user. Even so it is taught that the feature is performed at the central processor, it is accessible and obvious to one of ordinary skill in the art to implement in the terminal in order to achieve the objective of Smith's invention but in view of the modification as is Meade to allow the user to selectively display preferred programs and advertising." *id.*

Difference between the Claimed Invention Recited in the Independent Claims and the Cited References

The instant invention, as recited in claim 1, for example, which is typical of the remaining independent claims, discloses a method for providing user data pertaining to a user of a mobile terminal to a recommender system of a consumer electronic device

comprising determining, by the terminal, a current location of the terminal, wherein the current location is determined after receiving a initiating signal, said initiating signal being one of a user input (Figure 1, item 136) and a received signal; saving, in the terminal, an identifier of the determined location, based on a longevity of said terminal in an area proximate said current location and informing, by means of the terminal, said recommender system of a consumer electronic device of the determined location.

Smith discloses a system for providing location information of a handset (mobile terminal) from one network to another network or resource in response to the request for such information from the other network or resource. Smith illustrates, in Figure 1, a situation wherein information is transferred from one network to another network through the handset and the process for transferring information from one network to another (see also Figure 6). Smith, as acknowledged by the Office, fails to disclose providing any time information or a duration of time information to the network or resource.

Meade discloses a system for controlling an appliance by a mobile computing device by determining an available content for the appliance, selecting the content used by the appliance and applying user preferences to the appliance. Meade is recited for teaching a TIVO system that is a recommending system known by its dynamic selection.

Kabala discloses a portable locator system for tracking movement of persons within a facility and listing information relating to visits by persons at different locations. Kabala discloses that a person wearing a badge having a unique identification may be detected and the detection transmitted to a transceiver that transfers this information to a central processor. The central processor time stamps the received messages and may determine a time duration the person remains within a known detector range based on the

time stamps. (see col. 6, lines 5-27). Kabala is cited by the Office for teaching the "determination of a longevity (e.g., duration of stay) of a terminal within an area."

In rejecting the claims, the Office Action refers to Smith for teaching that a current location may be requested from a terminal and stored in the terminal and that the location may be provide to a consumer device, such as a TIVO (of Meade) and that Kabala discloses a determination of a longevity within an area (i.e., a central processor determines a duration (longevity) of a terminal by time-stamping signals received from a device having a unique identification by determining a difference between a first received time-stamp and the latest received time-stamp of a received signal having the same unique identification).

The Examiner acknowledges that Kabala performs the determination of longevity in a central processor and asserts this determination of longevity may be imported into the teaching of Smith modified by Meade.

Claim Interpretation Contrary to the Teaching of the Invention

The pending claims must be given an interpretation that is reasonable and consistent with the specification. see *In re Prater*, (citation omitted). One should rely heavily on the written description for guidance as to the meaning of the claims. see *Phillips v. AWH Corp*. (citation omitted).

The Advisory Action asserts that the claim 1 does not explicitly disclose that the determination of longevity is performed in the terminal and may be performed in the BTS-controller. Hence, the Advisory Action has imposed an interpretation of the claims that is

contrary to the teaching of the invention, as disclosed by the written description and by the claims.

The overly broad interpretation of the subject matter claimed is contrary to the teachings of the specification and such interpretation is only necessary in order to encompass a system derived from the teaching of Smith and Kabala (i.e., a system having a mobile device and a receiving system, wherein the receiving system determines a time the mobile device remains within an area).

Claim 10 recites, in part,

10. A mobile terminal ... comprising: ...

a processor (112) for:

determining, a current location of the terminal (204), wherein said current location is determined after receiving a initiating signal, said initiating signal being one of a user input and a received signal;

saving an identifier of the determined location to said memory (216) based on a longevity of said terminal in an area proximate said current location;

....

Hence, claim 10 specifically recites that a processor within the mobile terminal performs the determination of the longevity of the terminal within an area proximate to the current location. Accordingly, claim 1 should also be interpreted with regard to the terminal performing the step of determining the longevity of the terminal within an area proximate to the current location. And the broad interpretation of the BTS (i.e., central computer of Kabala) is contrary to the teaching of the subject matter claimed.

In view of the above, Appellant submits that the interpretation of the subject matter recited in claim 1 is contrary to the teaching of the invention and that such broad interpretation is not proper to maintain a rejection of the claims as being obvious in view of the cited references.

No Motivation Exists to Modify or Combine the Teachings of Smith, Meade and Kabala to Arrive at the Present Invention

In order to establish a *prima facie* case of obviousness, generally three basic criteria must be met;

> 1. there must be some **suggestion or motivation**, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine the reference teachings;
>
> 2. there must be a reasonable expectation of success; and
>
> 3. the prior art reference must teach or suggest all the claim limitations. The **teaching or suggestion** to make the claimed combination and the reasonable expectation of success must be found in the prior art, and not based on applicant's disclosure. *In re Vaeck* (citation omitted).(emphasis added).

However, in addressing obviousness determination under 35 USC §103, the Supreme Court in *KSR International v. Teleflex Inc.* (citation omitted) reaffirmed that "a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art." (citation omitted). The Court stated that "it can be important to identify a reason that would have prompted a person ...to combine the elements in the way the claimed new invention does ... because inventions in most, if not all, instances rely upon building blocks long since uncovered, and claimed discoveries almost of necessity will be combinations of what, in some sense is already known. (citation omitted). The Court further addressed the standard for obviousness that had been imposed in decisions rendered by the CAFC in that there must be some teaching, suggestion or motivation (TSM) to combine the known elements in the

same manner set forth in the claims and found that the TSM to combine provides a "helpful hint" in determining whether claimed subject matter is obvious. The Court however stated that the application of the TSM test is not to be applied in a rigid manner. Rather, the Court favored a more expansive view of the sources of evidence that may be considered in determining an apparent reason to combine known elements. Hence, the Court upheld precedent that "when prior art references require a selected combination to render obvious, there must be some reason for the combination other than the hindsight gained from the invention itself, i.e., something in the prior art as a whole must suggest the desirability and, thus, the obviousness, of making the combination." *Uniroyal Inc. v. Rudkin-Wiley Corp*, (citation omitted).

Smith discloses a mobile device that provides location information in requests made to base stations for information. The provided location of the mobile device may be used by the a resource server receiving the request as a filter to select appropriate information that is responsive to the request generated by the mobile device (see col. 3, lines 20-30). See also col. 4, lines 1-16 as an example of Smith generating a request with location information and the server providing a response based on the location of the mobile device transmitted in the request message. Smith fails to provide any teaching regarding a length of time that the mobile device is in a particular location or that the information to be provided by the server is to be provided within any period of time as the location of the mobile device may change.

Thus, Smith fails to provide any motivation or reason to incorporate a time period criteria into the transmission of the location information in the request message or of a response to the transmission of the location information.

Meade discloses a system of a mobile computing device to control appliances; one of which may be a TIVO device. Meade fails to provide any teaching regarding a time period that the mobile device is controlling the appliance or a time period that the mobile device is within an area of the appliance. Such time period is unnecessary as Meade merely teaching a means of controlling the device when such control is needed.

Kabala discloses a portable locator system including a plurality of badges, each with a unique identification code. A central processor determines the location of each badge based on transmission of the identification code to the central processor. The central processor determines from the signals received the time the identification codes were received (i.e., time stamps) and may determine the durations of receipt of the same identification codes by each receiving unit. (see col. 2, lines 12-34). Kabala further discloses that the central processor determines the location of the wireless transmitters and the duration of stay near the locations. (see col. 14, lines 3-4).

In addressing the obviousness rejection under 35 USC §103, the *KSR* Court did not diminish the requirement of objective evidence of obviousness. Rejections on the grounds of obviousness cannot be sustained by mere conclusory statements as there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.

In this case, the Examiner has selected elements from different prior art references to find elements recited in the claims. However, other than the conclusory statement that it would be obvious to incorporate the teaching of Kabala into the teaching of Smith, the Office has failed to provide any objective teaching or motivation to modify the Smith reference to include a time of stay or longevity determination in the mobile device as is

recited in the claims. While the reasoning of the Office is that it is "obvious to one of ordinary skill in the art to implement in the terminal [the longevity determination] in order to achieve the objective of Smith's invention[,] but in view of the modification as in Meade[,] to allow the user to selectively display preferred programs and advertising," (see AA, page 2), nowhere does Smith require any time information to achieve the desired objective (i.e., "[t]he location information constitutes a filter for selecting location appropriate information for transmission to the mobile handset in response to the information requested." see col. 2, lines 17-20, Smith).

Accordingly, with regard to the subject matter recited in claims 1 and 10, Appellant respectfully submits that pursuant to an expansive interpretation of the three basic criteria necessary to show obviousness, a *prima facie* case of obviousness has not been set forth because the combination of the cited references has been impermissibly selected using the teachings of the instant application as a blueprint without any suggestion or reason for such combination.

The Manual of Patent Examining Procedure (MPEP) provides further appropriate instruction by which the instant Appeal should be judged. MPEP, Eight Edition, Rev. 2, May 2004, provides in section 2143 entitled: "Fact That The Claimed Invention Is Within The Capabilities Of One Of Ordinary Skill In The Art Is Not Sufficient By Itself To Establish *PRIMA FACIE* Obviousness:"

> "A statement that modification of the prior art to meet the claimed invention would have been "'well within the ordinary skill of the art at the time the claimed invention was made'" because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a prima facie case of obviousness without some objective reason to

combine the teachings of the references." *Ex parte Levengood* 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP §2143.01, p. 2100-131.

Appellant respectfully submits that the Office has failed to show the motivation for modifying the teaching of Smith and Meade to perform a determination of longevity within an area, as is recited in the claims and has impermissibly combined the cited references using the teaching of the instant application as a blueprint without any suggestion or reason for such combination from the references.

The Combination of the Cited References Fails to Disclose all the Elements Recited in the Claims

The combination of the cited references fails to disclose all the elements recited in the claims.

Smith discloses that the location information is obtained at the time that a request is made. See col. 5, lines 10-15, which state, in part, Fig. 6 provides an overview of a method for implementing ... the present invention. As indicated above ... the mobile device can retrieve location information from the wireless system, step 601. The server can then receive a request for information generated by the wireless device ...Either at the same time or in response to a specific request back to the mobile for the location information, the server will receive location information detected by the mobile earlier in the operation."

The Office Action refers to claim 2 and 3 of Smith for storing the location information. However, claims 2 and 3 refer to the location information being a system identifier or a cell identifier. Smith further discloses that "...the hand held device collects

location information from the wireless network with which it is in communication and forwards that location information to the resource server along with any request for information or a resource. (see col. 3, lines 24-27).

Hence, Smith discloses the retrieval of the location from the network and fails to provide any storage of the location information as is recited in the claims. Neither Meade or Kabala provide any teaching regarding storing the location information, as is recited in the claims.

Accordingly, even if it the time duration information of Kabala were available to the device of Smith, whether the duration were computed 1. in the central processor and then provided to the device of Smith (which is beyond the description of the invention) or 2. in the device of Smith, as suggested by the Office, the resultant device would not store the location information based on the computed duration, as is recited in the claims.

For at least the above reasons, Appellant respectfully submits that a case of obviousness has not been set forth.

With regard to the remaining claims, these claims depend from the independent claims. Appellant respectfully submits that these claims are allowable at least for their dependence upon allowable base claims, without even contemplating the merits of the dependent claims for reasons analogous to those held in *In re Fine,* (citation omitted) (if an independent claim is non-obvious under 35 U.S.C. §103(a), then any claim depending therefrom is non-obvious).

In view of the above, Appellant submits that the independent claims and the claims dependent therefrom are not rendered obvious over the teaching of the cited references.

2. Rejection of claims 3-8 and 12-17 under 35 §USC 103(a)

The rejection of claims 3-8 and 12-17 as being rendered obvious under 35 USC §103(a) by the combination of Smith, Meade, Kabala and O'Neill is in error because the references, when combined, fail to show a limitation cited in independent claims 1 and 10 from which claims 3-8 and 12-17 depend.

Claims 3-8 and 12-17 Depend From an Allowable Base Claim

Claims 3-8 and 12-17 depend from independent claims 1 and 10, respectively, which has been shown to include subject matter not disclosed by the combination of Smith, Meade and Kabala. O'Neill discloses a system for targeted advertising with mobile IP terminals wherein merchant data includes the geographic location of the merchant's stores wherein a servicer system uses the consumer and merchant data to select merchants located in proximity to paths frequently traveled by a consumer. O'Neill fails to provide any teaching to correct the deficiency found to exist in Smith, Meade and Kabala, and consequently, in dependent claims 3-8 and 12-17.

Appellant respectfully submits that claims 3-8 and 12-17 are allowable at least for their dependence upon an allowable base claim for the reasons held in *In re Fine*, (citation omitted).

In view of the above, Appellant submits that the above referred-to claims are patentable over the teachings of the cited references.

VIII. CONCLUSION

In view of the above analysis, it is respectfully submitted that the referenced teachings, whether taken individually or in combination, fail to render obvious the subject matter of any of the present claims. Therefore, reversal of all outstanding grounds of rejection is respectfully solicited.

Respectfully submitted,
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IX. CLAIMS APPENDIX

Claim 1. A method for providing user data pertaining to a user of a mobile terminal (104) to a recommender system (168) of a consumer electronic device (164), the method comprising the steps of:

determining, by the terminal, a current location of the terminal (208, 236, 248), wherein said current location is determined after receiving a initiating signal, said initiating signal being one of a user input and a received signal;

saving, in the terminal, an identifier of the determined location (316, 240, 252), based on a longevity of said terminal in an area proximate said current location; and

informing, by means of the terminal, said recommender system of a consumer electronic device of the determined location (124, 156, 160).

Claim 2. The method of claim 1, wherein said terminal further includes an input device (136), said input device providing means for providing said initiating signal.

Claim 3. The method of claim 1, wherein said received signal causes said terminal to execute the steps of:

recognizing, from the signal, whether said determined location is outside a predefined home territory of the user (204); and

if it is recognized that the terminal is outside the home territory, automatically and without intervention by the user other than moving the terminal to a different location, initiating a timer (116) for starting a first predetermined time.

Claim 4. The method of claim 3, wherein the current location determined in the determining step changes in correspondence with movement of the terminal, said current location comprising at any moment a region and a sub-region within the region (236, 248), the region and sub-region being discernible by the terminal from the signal, the starting step further comprising the step of monitoring said signal to

determine whether at least one of the region and the sub-region stays constant over said first predetermined time period (220).

Claim 5. The method of claim 4, wherein the monitoring step comprises the steps of:

monitoring said signal to determine whether the region stays constant over said first predetermined time period (236); and

monitoring said signal to determine whether the sub-region stays constant over a second predetermined time period (248).

Claim 6. The method of claim 5, wherein, if it is determined that the region has stayed constant over said first predetermined time period, the saving step further comprises the step of saving the region as an identifier (240) and the informing step comprises the step of informing the recommender system of said region (156, 160).

Claim 7. The method of claim 6, wherein, if it is determined that both the region and the sub-region have stayed constant over the first and second predetermined time periods respectively, the saving step further comprises the step of saving the sub-region as an identifier (228) and the informing step comprises the step of informing the recommender system of said sub-region (156, 160).

Claim 8. The method of claim 4, wherein the monitoring step comprises the steps of:

monitoring said signal to determine whether the region stays constant over said first predetermined time period (320); and

while the region monitoring determines that the region has stayed constant, monitoring the sub-region to measure for what length of time the sub-region stays constant, to detect any change from said sub-region to a new sub-region (236, 248) and to measure for what length of time the new sub-region stays constant (252, 356).

Claim 9. The method of claim 1, wherein the determining, saving and informing steps are initiated automatically by the terminal without intervention by the user other than moving the terminal to a different location (124, 204, 220, 224, 236, 248).

Claim 10. A mobile terminal for providing user data pertaining to a user of said terminal to a recommender system (168) of a consumer electronic device (164), the apparatus comprising:

a memory (128);

a transmitter (120);

a receiver configured for receiving a wireless signal (120, 156); and

a processor (112) for:

determining, a current location of the terminal (204), wherein said current location is determined after receiving a initiating signal, said initiating signal being one of a user input and a received signal;

saving an identifier of the determined location to said memory (216) based on a longevity of said terminal in an area proximate said current location; and

informing (124), by means of said transmitter, said recommender system of a consumer electronic device of the determined location.

Claim 11. The terminal of claim 10, wherein said terminal further comprises an input device (136), said input device providing means for providing said initiating signal.

Claim 12. The terminal of claim 10, further comprising a timer (116), the processor being further configured for recognizing, from the signal, whether said determined location is outside a predefined home territory of the user and (204), if it is recognized that the terminal is outside the home territory, automatically and without intervention by the user other than moving the terminal to a different location, starting a first predetermined time period (216) as measured by means of said timer.

Claim 13. The terminal of claim 12, wherein the current location to be determined by the processor changes in correspondence with movement of the terminal, said current location comprising at any moment a region and a sub-region within the region (216), the processor being configured for discerning the region and sub-region from the signal and for monitoring said signal to determine whether at least one of the region and the sub-region stays constant over said first predetermined time period (236, 248).

Claim 14. The terminal of claim 13, the processor being further configured for:

monitoring said signal to determine whether the region stays constant over a first predetermined time period (236); and

monitoring said signal to determine whether the sub-region stays constant over a second predetermined time period (248).

Claim 15. The terminal of claim 14, the processor being further configured for, if it is determined that the region has stayed constant over said first predetermined time period, saving the region as an identifier (240) and informing the recommender system of said region (124, 156, 160).

Claim 16. The terminal of claim 15, the processor being further configured for, if it is determined that both the region and the sub-region have stayed constant over the first and second predetermined time periods respectively, saving the sub-region as an identifier (228) and informing the recommender system of said sub-region (124, 156, 160).

Claim 17. The terminal of claim 13, the processor being further configured for monitoring said signal to determine whether the region stays constant over a first predetermined time period (236), and, while determining that the region has stayed constant, monitoring the sub-region to measure for what length of time the sub-region stays constant (248), to detect any change from said sub-region to a new sub-region and to measure for what length of time the new sub-region stays constant (252, 356).

Claim 18. The terminal of claim 10, the processor being further configured for initiating said determining, saving and informing automatically without intervention by the user other than moving the terminal to a different location (124, 204, 220, 224, 236, 248).

Claim 19. The terminal of claim 10, wherein said terminal comprises a mobile phone (104).

X. EVIDENCE APPENDIX

No further evidence is submitted herein.

XI. RELATED PROCEEDING APPENDIX

No related proceedings are pending and, hence, no information regarding same is available